

## Message Text

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ACTION EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 USIA-06  
TRSE-00 EUR-12 ERDA-05 ISO-00 ACDA-07 EA-07 /045 W  
-----181815Z 065239 /42  
P 181710Z MAY 77  
FM USMISSION OECD PARIS  
TO SECSTATE WASH DC PRIORITY 6714

C O N F I D E N T I A L SECTION 01 OF 02 OECD PARIS 14798

EXCON

E.O. 11652: XGDS1  
TAGS: ESTC, COCOM  
SUBJ: LIST REVIEW ORGANIZATION DISCUSSIONS

REFS: A) TOWNSEND/PRACHT TELCONS, (B) STATE 113165

1. USDEL BELIEVES SOME CONFUSION MAY HAVE ARISEN CONCERNING DISCUSSION OF ROUND INTERVAL. DURING COMMITTEE DEBATE MAY 17 IT BECAME EVIDENT THAT FIVE OR SIX MONTH INTERVAL BETWEEN ROUNDS WAS UNACCEPTABLE TO MAJORITY OF DELEGATIONS. MAJORITY INSISTED UPON INTERVAL OF THREE MONTHS, THOUGH THERE WAS SOME INDICATION THAT CERTAIN DELS COULD ACCEPT MINIMUM FOUR MONTHS. DURING CORRIDOR DISCUSSIONS USDEL ASCERTAINED THAT REASON FOR INSISTENCED ON SHORT INTERVAL WAS OTHER DELS' CONCERN REGARDING OVERALL LENGTH OF LIST REVIEW PROCESS. SEVERAL KEY DELEGATIONS, INCLUDING FRANCE, ITALY, UK, AND BELGIUM HAD INSTRUCTIONS PROVIDING FOR MAXIMUM LIST REVIEW DURATION OF 9 MONTHS FROM OPENING OF FIRST ROUND THROUGH TERMINATION OF SECOND ROUND. THEY HAD ENVISAGED THAT EACH ROUND WOULD BE ALLOTTED A MAXIMUM OF THREE MONTHS PERMITTING ONLY A THREE-MONTH INTERVAL. PREVIOUS LIST REVIEW EXPERIENCE INDICATES, HOWEVER, THAT THE USUAL LENGTH OF A ROUND IS NO MORE THAN TWO MONTHS. SUGGESTION WAS  
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THEREFORE MADE (INITALLY BY US TO CHAIRMAN, THEN BY CHAIRMAN TO COMMITTEE) THAT IN ORDER TO ACCOMMODATE MOTIVATION OF MAJORITY OF DELEGATIONS WHICH WERE CALLING FOR THREE-MONTH INTERVAL AND US(AND NETHERLANDS) REQUIREMENT FOR FIVE OR SIX MONTH INTERVAL, THE BEST APPROACH WOULD BE TO LEAVE EXACT LENGTH OF INTERVAL TO BE DECIDED DURING ROUND ONE, BUT LIMIT OVERALL LIST

REVIEW TO 10 MONTHS FROM OPENING OF FIRST ROUND. (TEN MONTHS RATHER THAN 9 WAS A CONCESSION OBTAINED BY THE UNITED STATES.)

2. ALL DELEGATIONS BUT ITALY AND BELGIUM AGREED TO 10-MONTH OVERALL LENGTH PROPOSAL AS ACCEPTABLE COMPROMISE. ITALY STATED THAT ALTHOUGH IT PREFERRED 9-MONTHS OVERALL LIMITATION IT WOULD NOT STAND IN THE WAY OF UNANIMITY. BELGIUM SAID THAT WHILE ITS CURRENT INSTRUCTIONS PERMITTED ACCEPTANCE OF ONLY A TOTAL OF NINE MONTHS, IT WOULD RECOMMEND TO ITS AUTHORITIES THAT THEY AGREE TO TEN-MONTH PERIOD.

3. FOLLOWING TELCON AND RECEIPT REFTEL USDEL PUSHED MAY 18 FOR A FOUR-MONTH MINIMUM INTERVAL. OTHER DELS STATED THEY COULD ACCEPT THIS ONLY IF THERE WERE A CEILING. USDEL THEREUPON OFFERED MAXIMUM OF FIVE. UKDEL COULD ACCEPT FOUR-FIVE ON CONDITION IT WAS AGREED THAT MAXIMUM DURATION OF REVIEW WOULD BE TEN MONTHS. THEY WOULD, HOWEVER, CONTINUE TO SUPPORT IDEA OF TEN-MONTH LIMITATION WITHOUT SETTING MINIMUM OR MAXIMUM INTERVAL, LEAVING THAT ISSUE TO BE DETERMINED DURING ROUND ONE WHEN DELEGATIONS COULD BETTER JUDGE THE LENGTH NECESSARY FOR EACH ROUND AND THE NUMBER OF ITEMS TO BE STUDIED

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DURING THE INTERVAL.

4. TEN MONTH PERIOD APPEARS TO USDEL TO BE SUFFICIENTLY

LONG TO PROVIDE CONSIDERABLE FLEXIBILITY REGARDING LENGTH OF ROUNDS AND INTERVAL BETWEEN THEM. IF, FOR EXAMPLE, IT WERE TO BECOME OBVIOUS DURING FIRST ROUND THAT THE TWO ROUNDS SHOULD REQUIRE THREE MONTHS EACH (WHICH IS CONSIDERABLY LONGER THAN PAST LIST REVIEW ROUNDS) THE US WOULD STILL OBTAIN ITS MINIMUM ACCEPTABLE FOUR MONTH INTERVAL. IF, AS IS MORE LIKELY, THE ROUNDS WERE TO AVERAGE FROM 2 TO 2 AND 1/2 MONTHS THEN THE INTERVAL COULD BE AS LONG FIVE OR SIX MONTHS (US OPTIMAL POSITION) WITHOUT EXCEEDING THE OVERALL TEN MONTH LIMITATION. TEN MONTH LIMITATION PROPOSAL, AS ORIGINALLY SUGGESTED, ALSO OFFERS MERITS OF PERMITTING DELS TO DETERMINE LENGTH OF INTERVAL IN ACCORDANCE WITH REQUIREMENTS FOR EACH ROUND AND AT TIME WHEN EACH DEL CAN BEST JUDGE THE AMOUNT OF WORK TO BE ACCOMPLISHED DURING THE INTERVAL.

5. AS A NEGOTIATING REALITY, THE US NOW HAS TWO CHOICES:

- A) TEN MONTH OVERALL LIMIT, AND INTERVAL OF AT LEAST FOUR, NOT MORE THAN FIVE MONTHS;
- B) TEN MONTH OVERALL LIMIT, WITHOUT PREDETERMINED INTERVAL BETWEEN ROUNDS.

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USDEL BELIEVES THAT PROVIDING FOR A MINIMUM INTERVAL OF FOUR MONTHS AND A MAXIMUM INTERVAL OF FIVE MONTHS WITHIN CONTEXT OF OVERALL LIMITATION OF TEN MONTHS WOULD BE LESS ADVANTAGEOUS TO THE UNITED STATES THAN PROVIDING ONLY FOR A TEN MONTH OVERALL LIMITATION AND ALLOWING THAT TIME TO BE ALLOTTED TO THE ROUNDS AND INTERVAL WHEN THE SCOPE OF THE REVIEW AND THE PROPOSALS TO BE CONSIDERED ARE KNOWN.

6. SEPTTEL FOLLOWS ON REST OF DISCUSSION. TALKS WILL BE RESUMED MAY 31. USDEL REQUESTS INSTRUCTIONS BY MAY 24 TO PERMIT ADVANCE CONSULTATION WITH OTHER DELS.

7. ACTION REQUESTED: INSTRUCTIONS TO AGREE TO ONE OF THE TWO OPTIONS SET FORTH ABOVE, PREFERABLY OPTION B.  
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## Message Attributes

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